

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SONIA MCCARTHY,)	
)	
Plaintiff,)	
)	
v.)	No. 11 C 1527
)	
NATIONAL RAILROAD PASSENGER)	
CORPORATION, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

In this personal injury action brought by Sonia McCarthy ("McCarthy") against the transportation companies familiarly known as Metra and Amtrak, this Court's August 3, 2011 memorandum order directed the parties to address the preemption issue that Metra had raised in its Second Affirmative Defense. Counsel for both McCarthy and Metra have done so via brief memoranda, and the latter has graciously confirmed that a more searching look at the issue calls for the withdrawal of that affirmative defense. That will be treated as a motion by Metra to strike its Second Affirmative Defense, and this Court grants that motion. This action will go forward on the remaining issues posed by McCarthy's Complaint and defendants' responsive pleadings.



Milton I. Shadur
Senior United States District Judge

Date: August 18, 2011